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HON'BLE SRI JUSTICE A. GOPAL REDDY

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WRIT PETITION NO.7525 OF 1997

DATE:12.07.2006

Between:

Jyoti Sebastian

..... PETITIONER

AND

The Director-General of Police,
Government of A.P., Hyderabad
& two others.

.....RESPONDENTS

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HON'BLE SRI JUSTICE A. GOPAL REDDY

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W.P. No.7525 OF 1997

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ORDER:

Petitioners claim that their son Jyoti Francis was appointed as Reserved Sub-Inspector in the City Armed Reserved Head Quarters at Hyderabad and was attached to the City Security Wing, Hyderabad and subsequently, he was deputed to Allagadda, Kurnool District for defusing bombs along with a team. On 6.8.1995, while he was on duty in defusing bombs, there was an explosion of a bomb and that resulted in his death. It is stated that the then Chief Minister, while sending condolence message on 7.8.1995 made an announcement stating that the State Government would grant an amount of Rs.2,00,000/- as ex-gratia to the dependents of the deceased. In view of the same, the petitioners, being the dependents of their deceased son, said to have made a representation to all the concerned. It is their case that apart from the statement of the then Chief Minister announcing ex-gratia, they are entitled for the benefits as per G.O.Ms.No.125, Home (Police-D) Department, dated 3.3.1994 which deals with benefits extendable to the extremist encounters, anti-naxalite activities and blasts, apart from G.O.Ms.No.133, Home (Police-A) Department, dated 5.4.1998. It is also claimed that G.O.Ms. No.30, dated 1.2.1996 is applicable to their case and they are entitled for the benefits provided thereunder.

Though the Writ Petition was filed way back in the year 1997, so far, the respondents have not chosen to file any counter affidavit. The learned Government Pleader for Home expressed his inability stating that he has not received any instructions even after nine years.

Having regard to the facts and circumstances of the case, the Principal Secretary to the Home Department, Government of Andhra Pradesh, is directed to consider the claim of the petitioners for their entitlement as to the ex-gratia, in the light of G.O.Ms.No.133, Home

(Police.A) Department, dated 5.4.1988; G.O.Ms.No.125, Home (Police.D) Department dated 3.3.1994; and G.O.Ms.No.30, General Administration (SCC) Department, dated 1.2.1996 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order and communicate a copy of the same to the petitioners apart from filing a report of compliance before this Court within the said period.

The Writ Petition is disposed of with the above directions.

No order as to costs.

A. GOPAL REDDY, J

12th JULY, 2006.
Tsr